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Room 307

S&H Form: (2/01)

Attorney Docket No. 837.1186

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Yoshitaka SHIMURA et al.

Serial No. 09/168,688

Group Art Unit: 2633

Confirmation No. 2794

Filed: October 9, 1998

Examiner: D. Singh

For: OPTICAL SENDER, TERMINAL DEVICE, AND OPTICAL COMMUNICATION SYSTEM
EACH HAVING THE OPTICAL SENDER

REQUEST FOR REFUND

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

We are requesting refunds in the amount of \$330.00 (Notice of Appeal Fee) and \$110.00 (one-month extension of time fee), which were withdrawn from Deposit Account No. 19-3935 on August 13, 2004 (a copy of the USPTO Deposit Account Statement is included). On August 6, 2004, a copy of the Appeal Brief, which included a Petition for a one-month extension of time and a copy of the date-stamped postcard, were faxed to Examiner Singh at his request. However, when the Appeal Brief and Petition for a one-month extension of time were initially filed on December 24, 2003, the fees were included with the filing, as evidenced by the attached copy of check no. 25226 and which the U.S. Patent and Trademark Office subsequently deposited on December 29, 2003.

Accordingly, it is respectfully requested that the \$330.00 for the Appeal Brief and the \$110.00 for the one-month extension of time be credited to Deposit Account No. 19-3935 and that the Patent Office acknowledge this credit in writing to the undersigned.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 11-12-04

By: Derrick L. Fields
Derrick L. Fields
Registration No. 50,133

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Washington, D.C. 20005
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**United States
Patent and
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Deposit Account Statement

Requested Statement Month:

August 2004

Deposit Account Number:

193935

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DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
08/02	8	09533042	826.1597	1201	\$86.00	\$12,800.00
08/02	9	09923399	1293.1059-D3	1814	-\$110.00	\$12,910.00
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08/03	3	10678258	2030.53 DH	1202	\$198.00	\$12,368.00
08/03	5	1250534		6207	\$100.00	\$12,268.00
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08/04	3	10863508		1202	\$72.00	\$11,168.00
08/04	23	10867754		9204	-\$18.00	\$11,186.00
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08/06	1	09803996	1095.1170/JD	1251	\$110.00	\$10,126.00
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08/06	5	09271249	614.1948	1401	\$330.00	\$9,376.00
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08/09	177	29205645	1779.1003	1051	\$130.00	\$8,016.00
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08/12	44	09998897	122.1439CIP	1202	\$54.00	\$5,600.00

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MATTER	DESCRIPTION	AMOUNT
0837-1186 115	Patent Office Fees for One Month Extension of Time	110.00
0837-1186 120	Patent Office Fees for Filing a Brief in Support of an Appeal	330.00

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VS DATE 12/31/03
P06 E C 044 DC



Docket No. 837.1186

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

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(IN TRIPLICATE)

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BRIEF OF APPELLANTS

In a Notice of Appeal filed September 24, 2003, the Applicant appealed the Examiner's March 25, 2003 Office Action finally rejecting claims 2-21 and 23-44. A fee of \$330.00 is being submitted herewith along with a Petition for a One-Month Extension of Time and the fee for same. Therefore, Appellant's brief is due December 24, 2003. Appellant's brief together with the requisite fee set forth in 37 CFR § 1.17(f) is submitted herewith.

Adjustment date: 12/27/2004 SDIRETA2
08/13/2004 HGORDON 00000001 193935 09168688
01 FC:1402 330.00 CR

12/29/2003 SLUANG1 00000013 09168688
02 FC:1402 330.00 OP

Adjustment date: 12/27/2004 SDIRETA2
08/13/2004 HGORDON 00000002 193935 09168688
01 FC:1251 110.00 CR



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